

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BANCORP INTERNATIONAL GROUP, a Nevada
corporation; DOUGLAS R. CARON, an individual,

Plaintiff,

vs.

FINANCIAL INDUSTRY REGULATORY AUTHORITY,
INC., a Nevada corporation; DEPOSITORY TRUST
COMPANY, a New York Limited Purpose Trust

Defendant(s).

Case # 3:13-cv-00170-RCJ-WGC

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

EFFECTIVE JUNE 1, 2004
FILING FEE IS \$175.00

Lawrence S. Elbaum

, Petitioner, respectfully represents to the Court:

1. That Petitioner resides at Montclair
(city)
Essex New Jersey
(county) (state)

2. That Petitioner is an attorney at law and a member of the law firm of
Proskauer Rose, LLP with offices at
Eleven Times Square
New York (street address) 10036 (212) 969-3450
(city) (zip code) (area code + telephone number)
lelbaum@proskauer.com
(Email address)

3. That Petitioner has been retained personally or as a member of the law firm by THE DEPOSITORY TRUST COMPANY, THE DEPOSITORY² to provide legal representation in connection with [client(s)] the above-entitled case now pending before this Court.

4. That since January 10, 2007, Petitioner has been and presently is a member (date) in good standing of the bar of the highest Court of the State of New York (state) where Petitioner regularly practices law.

5. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

Court	Date Admitted	Bar Number
US Court of Appeals, 5th Circuit	12/1/2009	4437836
US District Court, E.D. N. Y.	8/21/2007	4437836
US District Court, S.D.N.Y.	08/21/07	4437836

6. That there are or have been no disciplinary proceedings instituted against Petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

N/A

1 7. Has Petitioner ever been denied admission to the State Bar of Nevada?. (If yes,
2 give particulars of every denied admission):

3 No

6 8. That Petitioner is a member of good standing in the following Bar Associations:

7 N/A

10 9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more
11 than one city) with which Petitioner is associated has/have filed application(s) to appear as counsel
12 under Local Rule IA 10-2 during the past three (3) years in the following matters:

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
11/28/2012	2:12-cv-01950-MMD-PAL	S. District of Nevada/Judge Du	Granted
11/28/2012	2:12-cv-01952-GMN-VCF	S. District of Nevada/Judge Novarro	Granted

20 (If necessary, please attach a statement of additional applications)

21 10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
22 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
23 extent as a member of the State Bar of Nevada.

24 11. Petitioner agrees to comply with the standards of professional conduct required of
25 the members of the bar of this court.

26 12. Petitioner has disclosed in writing to the client that the applicant is not admitted to
27 practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.

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Petitioner's Signature

STATE OF New York)
COUNTY OF New York)

Lawrence S. Elbaum, Petitioner, being first duly sworn, deposes and says:
That the foregoing statements are true.

Petitioner's Signature

Subscribed and sworn to before me this

28th day of August, 2013.

Regina M. Castela
Notary public or Clerk of Court

REGINA M. CASTELA
Notary Public, State of New York
No. 01CA4782890
Qualified in Nassau County
Commission Expires Dec. 31, 2013

**DESIGNATION OF RESIDENT ATTORNEY
ADMITTED TO THE BAR OF THIS COURT
AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
believes it to be in the best interests of the client(s) to designate Daniel T. Hayward,
Attorney at Law, member of the State of Nevada and previously admitted to practice before the
above-entitled Court as associate residence counsel in this action. The address of said designated
Nevada counsel is:

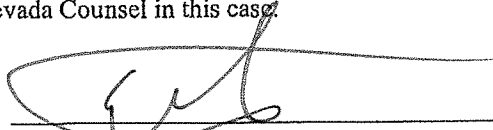
9600 Gateway Drive
Reno, Nevada 89523
(775) 322-1170

(Street, City, State, Zip Code and Telephone No.)

1
2 By this designation the Petitioner and undersigned party(ies) agree that this designation
3 constitutes agreement and authorization for the designated resident admitted counsel to sign
4 stipulations binding on all of us.

5
6 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

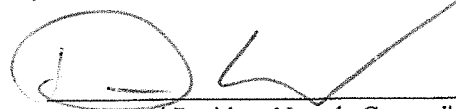
7
8 The undersigned party(ies) appoints Daniel T. Hayward as
9 his/her/their Designated Resident Nevada Counsel in this case.

10 
11 _____
12 (Party signature)

13 By: Isaac Montal, Esq., for Defendants;
14 The Depository Trust & Clearing Corporation;
15 The Depository Trust Company;
16 National Securities Clearing Corporation; and
17 Fixed Income Clearing Corporation

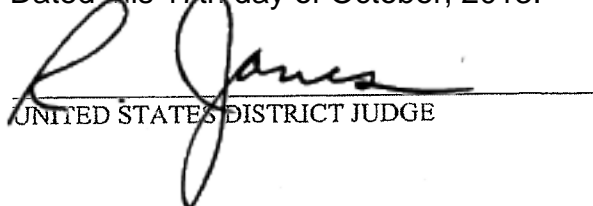
18 **CONSENT OF DESIGNEE**

19 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

20 
21 _____ 5986
22 Designated Resident Nevada Counsel's Signature Bar number

23 APPROVED:

24 Dated this 17th day of October, 2013.

25 
26 _____
27 UNITED STATES DISTRICT JUDGE
28

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this 30th day of August, 2013, I caused to be served a true and correct copy of the forgoing ***VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY ATTORNEY NOT ADMITTED TO THE BAR OF THIS COURT AND DESIGNATION OF LOCAL COUNSEL*** by method indicated

XX by Court's CM/ECF Program

And addressed to the following:

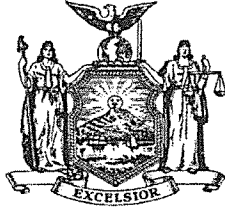
Michael J. Morrison
1495 Ridgeview Drive, Suite 220
Reno, NV 89519
***Attorneys for Plaintiff, Bancorp
International Group***

William E. Peterson, Esq.
Suellen Fulstone, Esq.
Snell & Wilmer L.L.P.
50 West Liberty Street, Suite 510
Reno, NV 89501

Betty G. Brooks (*pro hac vice admission pending*)
Office of General Counsel
FINRA, Inc.
1735 K Street, N.W.
Washington, D.D. 20006
***Attorneys for Defendant, Financial Industry Regulatory
Authority, Inc.***



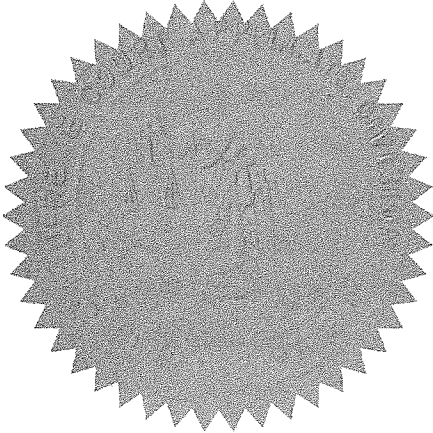
An employee of Laxalt & Nomura, Ltd.



**Appellate Division of the Supreme Court
of the State of New York
Second Judicial Department**

I, **Aprilanne Agostino**, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Lawrence S. Elbaum** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the 10th day of **January 2007**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on August 21, 2013.



Aprilanne Agostino

Clerk of the Court